

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA – ATLANTA DIVISION**

FILED IN CLERK'S OFFICE
U.S.D.C. Atlanta


SECURITIES AND EXCHANGE COMMISSION

NOV 17 2025

v.

DRIVE PLANNING, LLC, et al.

Case No. **1:24-cv-03583-VMC**

KEVIN P. WEIMER, Clerk
By:  Deputy Clerk

**EMERGENCY NOTICE OF PENDING APPEAL AND REQUEST FOR
TEMPORARY STAY OF ENFORCEMENT**

Mark Paul Haye, pro se Appellant, respectfully notifies this Court that his appeal of the Court's June 30, 2025 Order (Doc. 152) imposing constructive trust and turnover of his Florida homestead is now fully docketed in the Eleventh Circuit Court of Appeals as **Case No. 25-12437-E**, with oral argument date set for **November 3, 2025**.

Appellant further notifies this Court that the **Receiver has indicated intent to file a Motion for Writ of Possession/Writ of Assistance** seeking to have the U.S. Marshal forcibly remove Appellant from his home. Such enforcement, if permitted, would:

1. **Moot the pending appeal** contrary to *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56 (1982); and
2. **Inflict irreparable harm** by depriving Appellant of his residence and constitutional homestead protections while appellate review remains pending.

Accordingly, Appellant respectfully requests that the Court:

- **Enter a brief administrative stay** of all enforcement proceedings, including any writ of possession or turnover, pending further order of the Eleventh Circuit; or
- In the alternative, **hold in abeyance** any ruling on the Receiver's anticipated motion for writ until the appellate court rules on the stay application now before it.

This notice is filed in good faith to preserve appellate jurisdiction, protect Appellant's due process rights, and avoid unnecessary disruption while higher court review is active.

Respectfully submitted,



Mark Paul Haye

Pro Se Appellant

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Dated: November 12, 2025

15 UNITED STATES DISTRICT COURT
TED TURNER DRIVE, S.W.
ATLANTA, GEORGIA 30303

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CLEARED DATE

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Civil Action No.
1:24-CV-03583-JCM

30303-330894



U.S. Marshals Service
Atlanta, GA 30303